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By ECF

June 3, 2024

Honorable Sanket J. Bulsara, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East, 304N
Brooklyn, NY 11201

Re: *Biofer S.p.A. v. Vifor (International) AG.*, No. 1:22-cv-02180-AMD-SJB

Dear Judge Bulsara:

In accordance with the procedure outlined in the Letter of Request to Italy, Judge Ivana Poggioli of the District Court of Bologna has requested the Court grant the District Court of Bologna an extension of time solely to permit Dr. Egidio Marchi an opportunity to review, clarify and sign his deposition transcript.

On December 5, 2023, Vifor asked the Court to issue an unopposed Letter of Request for International Judicial Assistance in taking the deposition of Dr. Marchi, which the Court granted on January 8, 2024. (D.I. 110; D.I. 117.) In accordance with the Letter of Request, on February 29, 2024, Vifor submitted a Letter to the Court on behalf of the District Court of Bologna conveying its request for an extension to conduct Dr. Marchi's deposition within 90 days of March 8th, the end of fact discovery. (D.I. 125.) On March 5, 2024, this Court granted the District Court of Bologna's request. On May 22, 2024, the District Court of Bologna, in accordance with the Letter of Request, conducted the deposition of Dr. Marchi.

On May 28, 2024, Vifor's Italian Counsel notified Vifor that during Dr. Marchi's court appearance to sign his transcript from the May 22nd deposition, he expressed a willingness to clarify the responses he had given at his deposition.

On June 3, 2024, pursuant to Vifor's Letter of Request, the District Court of Bologna contacted Vifor's counsel instructing them to contact the United States District Court for the Eastern District of New York with a request to "as far as may be necessary, respectfully extend the deadline for the witness to sign the transcript of the statements and the preparation of the list of errors, if any, as well as to send the signed statements, the list of errors and the medium containing the audio-video recording by at least 30 (thirty) days". (D.I. 117 at 3; Ex. 1 at 2 (June 3, 2024 Request for Extension, Italian version); Ex. 2 at 2 (June 3, 2024 Request for Extension, unofficial English translation).)

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For the reasons stated above, and on behalf of the District Court of Bologna, Vifor respectfully asks the Court to grant the District Court of Bologna's request for a 30-day extension of time from May 30, 2024 to allow a hearing before the District Court of Bologna for Dr. Marchi to make any necessary corrections to his transcript.

Respectfully submitted,

/s/ Sanya Sukduang

Sanya Sukduang

cc: All counsel of record via CM/ECF